**Instructions regarding judicial or quasi-judicial orders in the matters sub-judice.**

**Government of Maharashtra**
**Law & Judiciary Department**
**Government Circular No. 223-2017 / Misc/E,**
Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai – 400 032.
Date : 11 August, 2017

**Read :**
1) Circular No. 556/E, dated 18.05.2007
2) Circular No. 1108/E, dated 03.10.2007
3) Circular No. 5/VIP/E, dated 30.03.2010
4) Circular No. 1745(A)-2014/Misc/E, dated 28.11.2014

## CIRCULAR

In continuation of the aforesaid Circulars, which contain instructions to ensure compliance of the order/ directions of the judicial or quasi-judicial authorities, I am constrained to issue the present instructions regarding providing requisite and timely instructions and documents to the Government Pleaders / Law Officers representing the State Government before the judicial and quasi-judicial authorities to ensure proper and effective representation of the State Government, and assist the judicial and quasi-judicial authorities to dispense justice.

In this context, the Government Pleader, High Court (Writ Cell) Bombay, vide letter dated 29th April, 2017 has highlighted the difficulties faced by the Law Officers on account of want of correct and timely instructions to the Government Advocates, in a majority of the matters. The Government Pleader has also conveyed the strong displeasure expressed by the Hon'ble High Court over the default on the part of the Government officers to provide the requisite information and documents, well in time, especially in the matters filed under the Land Acquisition Act, 1894, The Maharashtra Project Affected Person Rehabilitation Act 1986 and the Maharashtra Resettlement of Project Displaced Persons Act 1976, despite sufficient notice.

The failure of the department to provide relevant information and documents to the concerned Law Officers not only impairs the interest of the Government but also creates impediment in timely disposal of the proceedings by the judicial and quasi-judicial authorities.

It is, therefore, impressed upon all the Additional Chief Secretaries/ Principal Secretaries/ Secretaries to ensure that the concerned responsible officer(s) of their respective department, closely co-ordinate with, and respond to, the office of concerned Government Pleader and furnish the necessary factual information, instructions and documents within 7 days of the intimation/ request and, in any event, 3 days before the scheduled date of hearing.

All the Heads of the Departments are directed to ensure strict compliance of the aforesaid instructions.

Failure on the part of the concerned officers to comply with aforesaid instructions would be viewed seriously.

This Government circular of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201708111229280212. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

Digitally signed by Sumit Mullick
Date: 2017.08.11 12:20:15 +05'30'

**( Sumit Mullick )**
**Chief Secretary**
**Government of Maharashtra**

**Copy to –**

1. The All Additional Chief Secretaries, Maharashtra State, Mantralaya, Mumbai.
2. The All Principal Secretaries/ Secretaries, Mantralaya, Mumbai.
3. The Deputy Secretary to the Hon'ble Chief Secretary, Mantralaya, Mumbai.